

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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*IN RE* TERRORIST ATTACKS ON SEPTEMBER 11, 2001

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)  
) No. 03 MDL 1570 (RCC)  
) ECF Case  
)

This document relates to:

CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-CV-05970;

FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978; and

NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-6105.

**DECLARATION OF ALAN R. KABAT  
IN SUPPORT OF DEFENDANTS  
TALAL M. BADKOOK'S AND THE M.M. BADKOOK COMPANY'S  
CONSOLIDATED MOTION TO DISMISS**

I am an attorney licensed to practice in the District of Columbia and am admitted *pro hac vice* in this matter. I am with the law firm of Bernabei & Katz PLLC, counsel to Talal M. Badkook and the M.M. Badkook Company. I submit this declaration to transmit to the Court the following documents submitted in support of Defendants' Consolidated Motion to Dismiss:

1. Exhibit 1 to defendants' motion to dismiss is a copy of the Declarations of Harriet Smith Windsor, Delaware Secretary of State (Dec. 11 and 16, 2003) and copies of the Secretary of State's certificate of incorporation, and Gateway listing (originally filed as Exhibit 2 to the Motion of Defendant Abdulrahman Bin Mahfouz to Dismiss Plaintiffs' Third Amended Complaint with Prejudice (Mar. 19, 2004)).

2. Exhibit 2 to defendants' motion to dismiss is a copy of the website of the Process Server Network, "International," online at <http://www.processnet1.com/internat.htm> (last modified Feb. 10, 2004).

3. Exhibit 3 to defendants' motion to dismiss is a copy of the website of the Process Server Network, "Saudi Arabia," online at [http://www.processnet1.com/saudi\\_arabia.htm](http://www.processnet1.com/saudi_arabia.htm) (last modified Mar. 8, 2004).

4. Exhibit 4 to defendants' motion to dismiss is a copy of the results of an Internet search conducted on [www.google.com](http://www.google.com), for "Badkook Company" (viewed Sept. 1, 2005)

5. Exhibit 5 to defendants' motion to dismiss is a copy of the website, "The Badkook Group of Companies," online at <http://www.badkookgroup.com/bgproc.htm> (viewed Sept. 1, 2005).

6. Exhibit 6 to defendants' motion to dismiss is a copy of the Jeddah Gate website, "Company Details: Mohammed M. Badkook Co.," online at <http://www.jeddahgate.com/directory/detailprint.asp?id=1077> (viewed Sept. 1, 2005).

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on September 3, 2005.

  
\_\_\_\_\_  
ALAN R. KABAT

**Exhibit 1**

Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)

# Delaware

PAGE 1

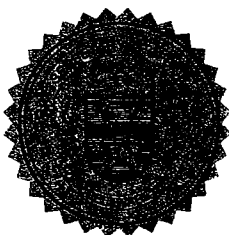
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "MUWAFaq FOUNDATION" AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF INCORPORATION, FILED THE THIRD DAY OF FEBRUARY, A.D. 1992, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID CORPORATION.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

2286982 8100H

AUTHENTICATION: 2802724

030795192

DATE: 12-11-03

From : Registered Agents, Ltd.

PHONE No. : 302 239 1917

Feb. 03 1992 2:11PM P02

STATE OF DELAWARE  
 SECRETARY OF STATE  
 DIVISION OF CORPORATIONS  
 FILED 09:00 AM 02/03/1992  
 672034004 - 2286982



**CERTIFICATE OF INCORPORATION  
 A NON STOCK CORPORATION**

- FIRST: The name of this Corporation is. MUWAFaq FOUNDATION.
- SECOND: Its Registered Office in the State of Delaware is to be located at 710 Yorklyn Rd. \_\_\_\_\_  
 \_\_\_\_\_ Streets, in the City of Hockessin  
 County of New Castle Zip Code 19707. The Registered Agent in charge  
 thereof is Registered Agents Ltd.
- THIRD: The purpose of the corporation is to engage in any lawful act or activity for which corporations may  
 be organized under the General Corporation Law of Delaware. (If the corporation is to be a nonprofit corporation,  
 please add: "This corporation shall be a nonprofit corporation.")  
This Corporation shall be a Non Profit Corporation
- FOURTH: The corporation shall not have any capital stock, and the conditions of membership shall be (In lieu of  
 setting out the conditions of membership in the Certificate of Incorporation, a statement may be inserted that the  
 conditions of membership shall be stated in the By-Laws.) as follows:  
The "Original Members" of the foundation Board of Directors  
1. Mr. Yassin A. Kadi, Chairman 2. Members of the Board:  
Mr. Talal M. M. Badkook, Dr. Mohaman Ali Elgari,  
Mr. Abdulghani Abdulla Alkhiriji
- FIFTH: The name and mailing address of the incorporator are as follows:  
1. Name Mr. Yassin A. Kadi  
Mailing Address P.O. Box 214 Jeddah 21411, Saudi Arabia.  
Zip Code
- I, THE UNDERSIGNED, being the incorporator hereinbefore named, for the purpose of forming a corporation  
 pursuant to Chapter 1 of Title 8 of the Delaware Code, do make this Certificate, hereby declaring and certifying  
 that the facts herein stated are true, and accordingly have hereunto set my hand this  
14th day of January, A.D. 19 92.

*Yassin Kadi*

**Incorporator**

# Delaware

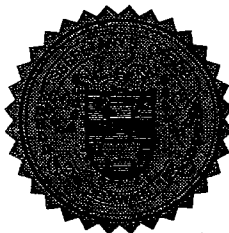
PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE CERTIFICATE OF INCORPORATION OF "MUWAFaq FOUNDATION", WAS RECEIVED AND FILED IN THIS OFFICE THE THIRD DAY OF FEBRUARY, A.D. 1992.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION IS NO LONGER IN EXISTENCE AND GOOD STANDING UNDER THE LAWS OF THE STATE OF DELAWARE HAVING BECOME INOPERATIVE AND VOID THE FIRST DAY OF MARCH, A.D. 1994 FOR NON-PAYMENT OF TAXES.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION WAS SO PROCLAIMED IN ACCORDANCE WITH THE PROVISIONS OF GENERAL CORPORATION LAW OF THE STATE OF DELAWARE ON THE TWENTY-FIFTH DAY OF MAY, A.D. 1994, THE SAME HAVING BEEN REPORTED TO THE GOVERNOR AS HAVING NEGLECTED OR REFUSED TO PAY THEIR ANNUAL TAXES.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

2286982 8400

AUTHENTICATION: 2817190

030809556

DATE: 12-16-03



## Delaware Secretary of State Gateway

This data is for information purposes only, certification can only be obtained through the Division of Corporations, or from a Delaware Registered Agent's office located within the State of Delaware.

[Source Info](#)

### Detail Information

Date/Time of Results: 01-23-2004 at 09:15

File Number: 2286982

Name Type: Inactive Delaware Co.

Stock Co Flag:

Name: MUWAFaq FOUNDATION

Kind: Corporation Religious Non-profit

Status: Void as of 03-01-1994

Tax Type: Non Taxable

Residency: Domestic

State of Incorp: DE

Country: US

Original Country:

Incorp/Qualify Date: 02-03-1992

Foreign Incorporation Date:

Proclamation Date: 05-25-1994

Renewal Date:

Expiration Date:

Bankruptcy Status:

Bankruptcy Date:

State:

Case Number:

Merged To:

State:

Federal ID:

Quarterly Filing?:

Last Annual Report:

Registered Agent: 9019982  
REGISTERED AGENTS, LTD.  
1220 N. MARKET STREET  
SUITE 606  
WILMINGTON, DE19801

Registered Agent County: New Castle

Phone: 302-421-5750

Fax: 302-421-5753

Stock Information:					
Amendment Number: 000 Effective Date: 02-03-1992 Effective Time: 09:00					
Stock Seq Number	Description	Series	Class	Authorized	Par Value

Filing History:											
Seq Number	Filing Year	Doc Code	Doc Code Desc	Doc Pages	Dom Pages	Doc Filing Date	Doc Filing Time	Doc Effective Date	Doc Filing Status	Co Prev Name	Merger Type
1	1992	0102	Incorp Delaware Non-Stock	1		02-03-1992	09:00	02-03-1992			

Tax Info:							
As Of Date: 01-23-2004 Tax Balance: 110.50							
Tax Year	Total Filing	Total Taxes	Total Penalty	Total Interest	Total Other	Total Paid	Total Balance
1994	.00	.00	.00	.00	.00	.00	.00
1993	.00	.00	50.00	.75	.00	.00	50.75
1992	.00	.00	50.00	9.75	.00	.00	59.75

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**Exhibit 2**

Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)





[\[ Home \]](#)
[\[ Service Guaranteed \]](#)
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### International Service of Process



If you need:

- ➡ To serve someone in Europe, Asia, South America, Africa, North America or anywhere
- ➡ To verify an address in Australia, Greenland, India or anywhere
- ➡ To depose a witness in Antarctica, or anywhere
- ➡ Any other international assignment

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- ☎ You can click on details for a specific country [HERE](#)



## Here's All We Will Need:

1. 3 copies of the documents to be served (we do not need originals; only copies of the same documents you would serve locally)
  2. A brief letter of instructions with service address
  3. A check for the service - we will send you a statement for any required translation costs
- 

## Got a Case Involving a Foreign Defendant?

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- Hire an **attorney** for you anywhere in the world
- Obtain **evidence** and arrange **depositions** globally
- **Translation** in 88 languages
- Local **contact** available in any nation
- Local **interpreters** for depositions
- Foreign **corporation** research
- **Locate** anyone – anywhere
- Research **laws** and **local rules** in foreign jurisdiction
- Lawsuit **search** on defendant
- **Embassy**/Consulate support in any nation
- **News** search on any defendant

- Surveillance/Stake-out/**investigations**
- Any other legal support assignment you may have

## Specializing in International Service of Process



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### About International Service of Process

There are two general methods of service abroad:

#### Formal Methods:

The "formal method" of service is the generally recommended method of service, particularly in countries that are signatories to an international treaty, such as the *Hague Service Convention*. This method is needed if it is anticipated that enforcement of judgment will be required.

The *Hague Service Convention* set forth the international rules related to service of process outside the originating country. Each nation that belongs to the *Hague Service Convention* agrees to abide by these international rules.

*Letters Rogatory* is the formal method to be used in countries that are not signers of the Hague Service Convention. In addition, the *Inter-American Convention on Letters Rogatory* controls the same issues between countries in North and South America. *Letters Rogatory* is also used when taking the deposition of a person in another jurisdiction.

The timeframe for service pursuant to formal methods can range from 1 to 5 months since proper procedures and/or diplomatic channels must be followed (typical turnaround time in most nations is 2-3 months). Costs are significantly *lower* than in informal service in most countries.

Generally, we recommend the formal method of service to insure a valid judgment.

No matter which method you choose, **we handle the paperwork and logistics in completing the service** in a timely and efficient manner. **We do everything** from preparing the letter of transmittal to the translation of your filed documents, as required.

#### Informal Methods:

Informal methods of service are available in most areas of the world where service by a non-attorney or private process server are . In general, if the country is not a signatory of an international treaty, service may be made by informal methods (similar to service in the United States). However, some countries such as Germany, Japan, Korea, China, Switzerland and Italy do not allow service by private process server and impose serious civil and criminal sanctions on those who violate their national sovereignty.

The advantage to utilizing informal service, in nations where it is available, is often the timeframe for completing service.

**Call us and we will fax** you an up-dated information sheet on the various available methods of service and our fees.



Call (800)417-7623 or 800-4-1-PROCESS Fax: (818)772-4798 or e-mail

We routinely serve legal documents throughout the world. As a matter of fact, we've been doing it for the past 25 years. The process is simple since we do all the legwork and follow-up. Service does, however, generally take longer than in the United States due to varying customs and practices in other countries.

We also welcome documents from all countries for service in the United States and Canada.....or anywhere in the world! Our network of experienced and efficient Process Servers will complete your assignment in a timely manner.

**Oh yes, you won't find a lower rate!**

Note: These descriptions of service options are presented in general terms. **We will be pleased to provide specific information regarding service in a particular country.**

### Translation Services:

We offer translation in all foreign languages - **Call us for discounted rate.**

**Don't forget: We can serve anyone. . .anywhere in the world. . . and just around the corner!**

**Call us at (800)417-7623 or**

**Click for Specific Country**

<sup>1</sup> Lowest rate of any top 10 international service company. Guaranteed service means we will serve the documents at the address provided, if service is legally possible. Dated documents may require a re-set of the court date if unable to serve in time, in which case there will not be an additional charge. Additional charge will apply for additional addresses. In rare cases, some countries may impose additional fees that have not been announced prior to service. Such fees will be the responsibility of the attorney requesting service.



E-mail Us





**Phone:** (800)4-1-PROCESS or (800)417-7623 or (818)772-4795

**Fax:** (818)772-4798

**Mailing address:** 10010 Canoga Avenue #B6, Chatsworth, CA 91311-0959

**E-mail:** [processnet@sbcglobal.net](mailto:processnet@sbcglobal.net)



*Specializing in International Service and "hard-to-serve" cases*



\* Guaranteed service means we will serve the documents at the address provided, if service is legally possible. Dated documents may require a re-set of the court date if unable to serve in time. Additional charge will apply for additional addresses and attempts on dated documents after re-set. Guarantee does not apply to investigations, out-of-area process service, small claims cases, or international service of process due to circumstances that may occur beyond our control in certain nations and we cannot be responsible for such circumstances. No refunds will be made after institution of any assignment, for any reason. All fees are due and payable upon demand. Our fees cover all known governmental fees in foreign nations and our fee to handle the service; in rare cases, extra charges may apply to cover governmental agency fees. Note: We've been doing it for 26 years, so we must be doing it right.

*Celebrating 26 years of service to the legal profession*



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 New Jersey, process servers New Mexico, process servers Mexico, process servers North Carolina, process servers North Dakota, process servers Ohio, process servers Oklahoma,  
 process servers Oregon, process servers Pennsylvania, process servers Indiana, process servers Iowa, process servers Kansas, process servers Kentucky, process servers  
 Louisiana, process servers Maine, process servers Maryland, process servers Massachusetts, process servers Missouri, process servers Michigan, process servers Minnesota,  
 process servers, Rhode Island, process servers South Carolina, process servers South Dakota, process servers Tennessee, process servers Texas, process servers Utah, process  
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 Wisconsin, process servers Wyoming, process servers Chatsworth

**Exhibit 3**

Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)



[\[ Home \]](#) [\[ Up \]](#) [\[ Afghanistan \]](#) [\[ Albania \]](#) [\[ Algeria \]](#) [\[ American Samoa \]](#) [\[ Anguilla \]](#) [\[ Antigua \]](#)  
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## Process Service Guaranteed\*

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[Saudi Arabia](#) International Service Up-date

### Saudi Arabia

*Process Service Network* is one of a few firms that specializes in international service of process and offers competitive rates on foreign services. Here is a summary of the methods available for service outside the United States and a specific proposal for the requested nation.

Our job is to cut through the bureaucracy and red tape to get the service completed with as little delay as possible. Since we have been in business for 26 years, we have developed close working relationships with key individuals in most countries throughout the world. The founder and President of *Process Service Network* was a Political Science major in college with a focus on international relations and is actively involved in a worldwide organization through which he has developed business and personal relationships in over 80 nations worldwide.

#### FORMAL SERVICE:

**SAUDI ARABIA** is not a signer of the Hague Service Convention. There is currently no formal method of service since Saudi Arabia does not honor Letters Rogatory.

#### INFORMAL SERVICE:

Private process servers may serve documents in most countries, whether a signer of *The Hague Service Convention*, or not. Service is normally handled in a manner similar to methods used in the United States, although completion of the service usually takes longer. Customs and traditions in other countries tend to lead to a slower pace and less rigid work habits, particularly in the Arab nations. Service sometimes may take several months but informal service is generally much faster than formal methods. Most process servers who we employ are off-duty police officers or other government officials who are able to, in certain cases, exercise their official capacity to complete the service. Since we pay the process server a bonus (at our own expense) for prompt

service, the normal delays are usually reduced.

It must be advised, however, that corruption is sometimes evident in that country and that it is common for the process server to contrive an excuse for delays and/or additional costs. We will cover any additional costs but delays may be unavoidable.

Further, service in Saudi Arabia has been complicated in the recent period due to tensions in the Arab world. We do all that is possible to insure a timely completion of the service.

Advantage: Time and cost.

Disadvantage: Judgment may not be enforceable in the country where assets are located.

#### TRANSLATIONS:

Some countries require the documents to be translated into the official language of the nation where they are to be served. The U.S. State Department *recommends* translation, but it is not a requirement unless the formal method is used. It is possible, although rare, that a demurer could be filed based upon lack of understanding by the defendant as to the nature and meaning of untranslated documents. It is important that the Defendant understand the nature of the documents.

#### COSTS:

##### **Service of process:**

Informal = \$1175.00      All fees are per defendant/address

Translation: \$0.38 per word (proper nouns not translated)

#### DECLARATIONS:

We provide any necessary formal Declarations, under penalty of perjury, that the Court may require as to the progress and status of the service (at no additional cost).

**WARNING:** Beware of companies that quote suspiciously low rates. They often come back later with an excuse for an additional charge. Our rates are firm for one address quoted. Other companies are actually brokerage firms or website developers, not process service agencies, who farm out assignments to secondary companies that are not knowledgeable or qualified on international service of process.

#### DISCLAIMER:

The information contained herein is provided for general information only and may not be accurate at the time of service in a particular case or country. Questions involving specific services should be directed to our office. Care should be exercised in choosing the method of service (formal/informal) if eventual enforcement of a U.S. judgment is anticipated in the country where the documents are to be served. No legal advice is intended in the statements contained herein. Assignments for international service of process are accepted on the basis that the assigning law firm has researched all applicable laws. Process Service Network and its agents assume no liability for its actions in the course of any phase of the service of process assignment.





**Phone:** (800)4-1-PROCESS or (800)417-7623 or (818)772-4795

**Fax:** (818)772-4798

**Mailing address:** 10010 Canoga Avenue #B6, Chatsworth, CA 91311-0959

**E-mail:** [processnet@sbcglobal.net](mailto:processnet@sbcglobal.net)



*Specializing in International Service and "hard-to-serve" cases*



\* Guaranteed service means we will serve the documents at the address provided, if service is legally possible. Dated documents may require a re-set of the court date if unable to serve in time. Additional charge will apply for additional addresses and attempts on dated documents after re-set. Guarantee does not apply to investigations, out-of-area process service, small claims cases, or international service of process due to circumstances that may occur beyond our control in certain nations and we cannot be responsible for such circumstances. No refunds will be made after institution of any assignment, for any reason. All fees are due and payable upon demand. Our fees cover all known governmental fees in foreign nations and our fee to handle the service; in rare cases, extra charges may apply to cover governmental agency fees. Note: We've been doing it for 26 years, so we must be doing it right.

*Celebrating 26 years of service to the legal profession*



pro cess servers Los Angeles, process servers Quebec, process servers Montreal, process servers  
**Last modified: Monday March 08, 2004.** ess servers Sacramento, process servers Arkansas, process servers Alaska, process servers Colorado, process servers Connecticut,  
 process servers Calgary, process servers District of Columbia, process servers Delaware, process server Florida, process servers Georgia, process servers Hawaii, process servers  
 Idaho, process servers Illinois, process servers Mississippi, process servers Montana, process servers Nebraska, process servers New Hampshire, process servers New Jersey,  
 process servers New Mexico, process servers Mexico, process servers North Carolina, process servers North Dakota, process servers Ohio, process servers Oklahoma, process  
 servers Oregon, process servers Pennsylvania, process servers Indiana, process servers Iowa, process servers Kansas, process servers Kentucky, process servers Louisiana,  
 process servers Maine, process servers Maryland, process servers Massachusetts, process servers Missouri, process servers Michigan, process servers Minnesota, process servers,  
 Rhode Island, process servers South Carolina, process servers South Dakota, process servers Tennessee, process servers Texas, process servers Utah, process servers Utah,  
 process servers Vermont, process servers Virginia, process servers Washington, process servers Washington, DC, process servers West Virginia, process servers Wisconsin, process  
 servers Wyoming, process servers Chatsworth

**Exhibit 4**

Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss



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"badkook company"

Search

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## Web

Results 1 - 10 of about 18 for "**badkook company**". (0.22 seconds)

### [JeddahGate.com](#)

... Shopping Mall. COMPANY DETAILS, JG No.: 1169. MOHAMMED MOHAMMED **BADKOOK COMPANY** \*.  
Contact Information, ... Brand(s) : Map of Mohammed Mohammed **Badkook Company** \*. ...  
[www.jeddahgate.com/directory/Default.asp?p=5&id=1077&cat=42](#) - 36k - Supplemental Result -  
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### [COMPANY DETAILS](#)

COMPANY DETAILS, JG No.: 1169. MOHAMMED MOHAMMED **BADKOOK COMPANY** \*.  
Contact  
Information, ... Brand(s) : Map of Mohammed Mohammed **Badkook Company** \*. ...  
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### [\[PDF\] COZEN O'CONNOR Attorneys for Plaintiffs Michael J. Sommi, Esq. ...](#)

File Format: PDF/Adobe Acrobat - [View as HTML](#)

... MOHAMAN ALI ELGARI; NEW DIAMOND HOLDINGS; MM **BADKOOK COMPANY** FOR CATERING &  
TRADING;  
AL- MUSTAQBAL GROUP; NATIONAL MANAGEMENT CONSULTANCY CENTER; AL-RAJHI ...  
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### [BADKOOK GROUP](#)

... With the same vision to constantly pioneer the market, MM **Badkook Company** has  
researched for the most popular food worldwide to be introduced to the Kingdom. ...  
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### [MM.BADKOOK co.](#)

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### [\[PDF\] COZEN O CONNOR](#)

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Holdings; MM **Badkook Company** for Catering & Trading; Al-Mustaqbal Group; National.  
Management Consultancy Center; Al-Rajhi Banking & Investment Corporation; ...  
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**Badkook Company** for Catering & Trading; Al-Mustaqbal Group; National Management.  
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## [LINKAGE MANPOWER CONSULTANTS](#)

... Al Attas Hotels Group & Leylaty Ballrooms. M. M. **Badkook Company** Ltd. Gulf Royal Chinese Restaurants. Omer K. Al-Esayi Group. Abdul Latif Jamil Group. Saudi Info ...

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**Exhibit 5**

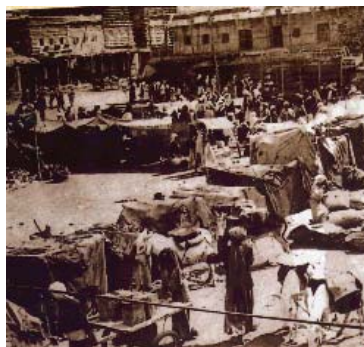
Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss



## The Badkook Group of Companies

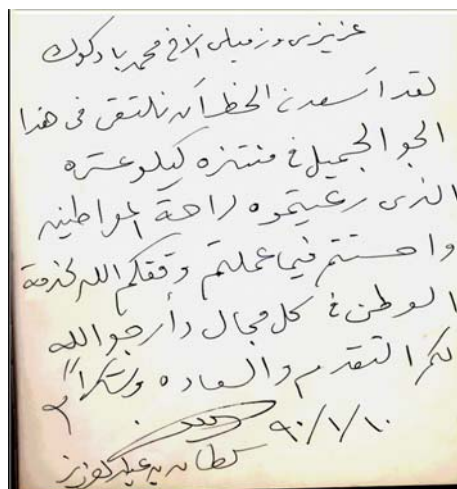
### The Start of a New Dawn

Situated on Saudi Arabia's western coast, where the harsher effects of the climate are moderated by the Red Sea, the Jeddah City evolved as a trading center where its prosperity was founded on mercantile wealth and commercial enterprise long before the oil-boom. Whilst now it is a flourishing modern city of more than 3 million inhabitants, in the early fifties Jeddah was an extremely small, emergent rural place with no more than 30,000 inhabitants, no business infrastructure, no roads and obviously no entertainment places.



At that time, and with a long-term vision, the late Sheik Mohammed M. Badkook who enjoyed a gorgeously loving and caring personality, has established M. M. Badkook Restaurants and Catering Company, which surfaced as a pioneering company in the field of restaurants and catering. The idea behind establishing the Company was generated from a careful study that unveiled an immense demand in the food business market for quality restaurant services.

The first concept to be developed by the Company was "Kilo 10 Gardens Park", which was a unique dining place, a recreational facility, a wedding and banqueting plot and an amusement park. It was situated away from the city center at Kilo 10, on the way to the Holy City of Mecca. Being the first of its kind, the Park was visited by many eminent personalities. Soon many businesses were established in the area, which became the new hub of the City.



### The Golden Age





جريدة البلاد السعودية، العدد ٢٧٦٨، السنة الثالثة، الاثنين ٢٦ ذي الحجة ١٣٨٧ هـ الموافق ٢٥ مارس ١٩٦٨ م

In 1980 and continuing with the tremendous success and based on the pioneering foresight of Sh. Badkook, the Company was invited by the municipality of Jeddah to establish the "Dolphin Garden Restaurant," which was inaugurated by H.R.H. Prince Majid Bin Abdul Aziz the Governor of Mecca Region, in the attendance of leading businessmen, high government officials and the notables in the City of Jeddah. Situated on the Corniche of Jeddah It was a masterpiece of art for its decoration, landscape, and unique hospitable services.

In the year 1982 and with considerable demand on fast food concepts, M. M. Badkook Restaurants and Catering Company took the initiative to establish Al Roshan, a Fast Food Chain of Restaurants at 3 different locations in Jeddah, catering for the new trend in consumer tastes towards quick and delicious food.

After Sh. Mohammed M. Badkook passed away, leaving behind a history of a long and very prolific life, the Company was managed by his son Sheik Talal M. Badkook,



who went into direct apprenticeship under the tutelage of his father to carry through the pioneering restaurant and catering services based on solid business doctrine and strategic foresight.

## A New Era



With the same vision to constantly pioneer the market, M.M. Badkook Company has researched for the most popular food worldwide to be introduced to the Kingdom. In 1989 the "Chinese Golden Palace Restaurant" was opened for the public. A unique Gourmet Chinese Restaurant in the heart of the City of Jeddah. Based on the tremendous success of the concept, another fine Chinese Golden Palace Restaurant was opened in Riyadh, the

### Capital of Saudi Arabia.

In 1989, M. M. Badkook added "La Fraise Pastry and Boulangerie Shops" which specializes in serving French, European and Arabic Pastries and Sweets. After more than a decade of continuous success, La Fraise is still catering for the sweet taste of the elite customers in Jeddah.

On the catering front, the Company was also present, through different scope of activities from cafeterias in compounds, catering projects to mass feeding in industrial areas. Additionally, the Company offers its professional services to more than 3,000 individuals every Hadj season. Examples of catering clients are Imarat Mecca Al Mukarramah, P.T.T., Telecommunication, Ministry of Pilgrims, Islamic Development Bank, Saudi Livestock Company, Mubarak Transportation Company, SASCO Company, The Royal Navy, Umm Al Qura University in Mecca, Ministry of Health, Psychiatric Hospital Ministry of Health and Al Thaghr Hospital.

With the opening of Dolphin Riyadh in August '99, the brand name Dolphin was 19 years old. By virtue of style, quality and product, Dolphin is still enjoying a healthy share from the banqueting segment of the market. The conceptual national theme of banqueting is creating a gorgeous ambiance complimented with immaculate service and excellent food.

### A Successful Synergy

Catering for the food industry, Sheik Talal M. Badkook the pioneering restaurateur has sensed the demand for a reputable company to provide kitchen equipment and restaurant and hotel accessories to the mushrooming hospitality industry. In 1990, he established the Badkook Corporation (Equinox) with the objective to occupy 50% of the market share. Now Equinox is the market leader in its field.



In the year 1991, another company "International Management Services and Development Company" (I.M.S.D.) was established to offer Support, Maintenance and Cleaning Services for the commercial sector. Since then the Company continued to offer quality services to its clients such as Al Hanouf Contracting, Royal Saudi Navy, Rabigh General Hospital, Addam General Hospital, Sharourah General Hospital, Qunfudah General Hospital and Jeddah Science and Technology Center.

Over the past years, the Kingdom of Saudi Arabia has witnessed the arrival of numerous international businesses through franchising. Apparently, the restaurant business was the first among 75 other business categories to enter the market. Today, there are more than 300 Master Franchises sold into the Kingdom. Keeping its stride with the international trends, the Badkook Group has acquired the Master Franchise Rights for "Franchise Development Services" in the Middle East, covering 22 Arabic Speaking Countries. Franchise Development Services Middle East offers professional franchise consultancy services including inward and outward franchising, publications, seminars and exhibitions and other ancillary services to all parties involved in franchising.



Based on the belief in diversified investments, the Badkook Group has expanded its business to Turkey. Simar for Tourism and Restaurants Co, owns and operates Fan Fan, another Chinese Fast Food Concept, which was launched in June 1996 at Ak Merkes, one of the newest and best performing shopping malls not only in Istanbul, Turkey but also in Europe. Now, Fan Fang is expanding its successful



business formula by means of franchising as a strategic method of multiplication.

Diamond Arrow was established in early 1997 as a division of the Badkook Corporation with the idea of providing food supplies to the Badkook Group of Restaurants. Being extremely successful in offering unbeatable prices of all food products, the idea further developed to extend services to other food business establishments. Having its own spacious warehouse, administration modus operandi, logistic systems, growing purchasing power and local market know-how, Diamond Arrow was able to prove its ability to save its established clients tremendous expenses and product sourcing hustles.

#### **A New Millennium.....A New Vision**

With the start of the new millennium, the Badkook Group has cautiously developed its strategy depending on its success factors to expand its existing operations throughout the world by means of franchising depending on the major keys to success which are:



#### **Professional approach to all aspects of business.**

Explicit strategy to introduce new products, services and ideas.

Prudent staff selection.

Excellent contacts in the marketplace.

Professional understanding and caring management team.

Careful money management techniques.

Excellent knowledge of the global market changes and consumer needs.

#### **Our Credo**

We are responsible to the community in which we live and work. We must be good citizens, support good work and charities.

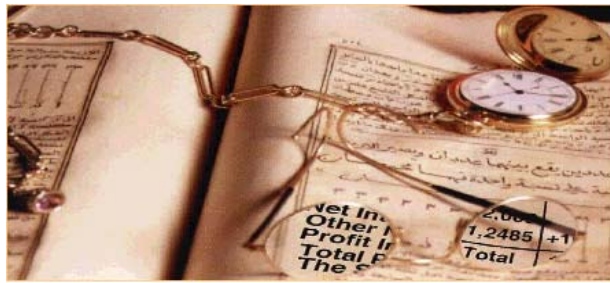
We give credence that our primary responsibility is to all customers. In meeting their requirements, everything we do must be of high quality.

We are responsible to our employees. We must regard their dignity and endorse their merit.

Our ultimate responsibility is to our business. We must experiment innovative ideas and undertake research programs

Finally, we work very hard to secure the future of our new generations through creating new futuristic development opportunities.

When we operate according to these principles, we all should realize rewarding returns.



Visit our website: [www.badkookgroup.com](http://www.badkookgroup.com)

**Exhibit 6**

Talal M. Badkook's  
and the  
M.M. Badkook Company's  
Consolidated Motion to Dismiss

## COMPANY DETAILS

JG No.: 1169

Mohammed M. Badkook Co.



شركة محمد م. بادكوك

**MOHAMMED MOHAMMED  
BADKOOK COMPANY \***

## Contact Information

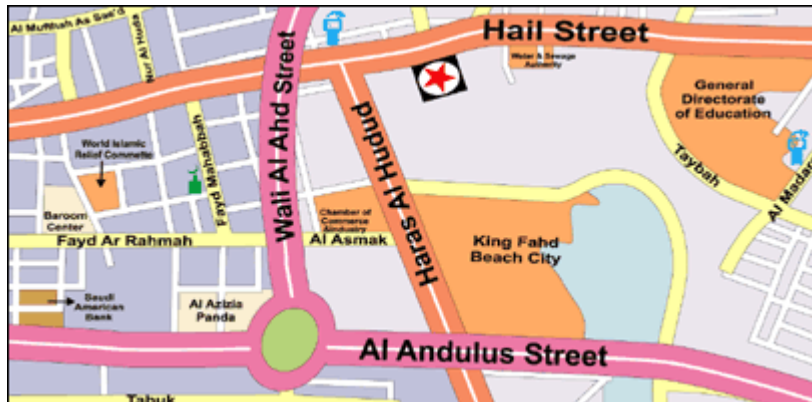
Address : Hail Street , Al-Nokbah Center  
 P.O. Box / Zip Code : 221 / 21411  
 City : Jeddah  
 Phone No(s) : 6518647 - 6519468 - 6519887  
 Fax No(s) : 6515123 - 6517978  
 Telex :  
 Pager :  
 Email : badkook@badkookgroup.com  
 Web URL : www.badkookgroup.com

Tollfree :

Mobile :

## Assets &amp; Profile

Year Est. (G):  
 Year Est. (H):  
 C.R. No. : 4030002248 Permit Lic. No. : 16771  
 Type of Org. : Comapny  
 Category : Restaurants & Cafe'  
 Total Assets : Capital :  
 Total Employees : 300 Annual Turnover :  
 Owner(s) : Shikeh \ Talal Mohammed Badkook  
 Manager(s) : Shikeh \ Talal Mohammed Badkook  
 Branch(s) :  
 Activities :  
 Bank Reference : National Commercial Bank  
 Brand(s) :



Map of Mohammed Mohammed Badkook Company \*



Pictures of Mohammed Mohammed Badkook Company \*

